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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	3:12-cr-00015-HDM-WGC
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
CAMERON MUHLENBERG,)	
)	
Defendant.)	
)	
_____)	

Defendant filed a 28 U.S.C. § 2255 motion to vacate, set aside, or correct his sentence contending that his sentence should be vacated because the Hobbs Act robbery offense which served as a predicate for his 18 U.S.C. § 924(c) conviction no longer qualifies as a "crime of violence" in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015) (ECF No. 135). The government responded arguing, in part, that defendant's motion should be denied because Hobbs Act robbery does qualify as a crime of violence (ECF No. 138).

The Ninth Circuit has held that Hobbs Act robbery "indisputably qualifies as a crime of violence" under § 924(c). *United States v. Howard*, 650 Fed.Appx. 466, 468 (9th Cir. 2016)

1 (citing *United States v. Mendez*, 992 F.2d 1488, 1491 (9th Cir.
2 1993)). Given the binding nature of the Ninth Circuit's ruling,
3 defendant's motion (ECF No. 135) is **DENIED**. Because the court's
4 decision in this matter is dispositive, the court declines to
5 address the other arguments raised in the defendant's motion and
6 the government's response.

7 IT IS SO ORDERED.

8 DATED: This 29th day of June, 2018.

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11 UNITED STATES DISTRICT JUDGE

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